

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
                            )  
                            )  
                            )  
v.                        )  
                            )  
                            )  
                            )  
ROSS ELLIOTT           )

CRIMINAL NO. 04-10378-GAO  
VIOLATIONS  
18 U.S.C. §2252(a)(4)(B)  
Possession of Child Pornography

INDICTMENT

COUNT ONE: 18 U.S.C. §2252(a)(4)(B) - Possession of Child Pornography

The Grand Jury charges that on or about December 22, 2003, in Somerville, within the District of Massachusetts,

ROSS ELLIOTT

defendant herein, knowingly possessed one or more books, magazines, periodicals, films, video tapes, and other matter which contained any visual depiction that had been mailed, shipped and transported in interstate or foreign commerce, and which was produced using materials which had been so mailed, shipped and transported, by any means including by computer, the producing of such visual depiction having involved the use of a minor engaging in sexually explicit conduct and such visual depiction being of such conduct; that is: ROSS ELLIOTT knowingly possessed a computer that contained numerous files which contained numerous images of minors engaging in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), such as:

pedo Bro Sis 4 (1).jpg  
Pedo\_017.jpg  
Pedo Pedophilia Kids Child Porn 085.jpg  
Pedo Pedophilia Kids Child Porn 024.jpg  
PEDO 11\_yr09.jpg  
pedo child ass~illegal.jpg  
pedo 13 yr old teen fucking men (HOT PICTURE) (1) (1) (2) (3).jpg  
2 Child Pedo Lolita Kid Have Sex Porno With A Man4.jpg  
Pedo-fuck (1).jpg  
Pedo handjob.jpg

All in violation of Title 18, United States Code, Section 2252(a)(4)(B).

**NOTICE OF ADDITIONAL FACTORS**

**COUNT ONE:**

The Grand Jury further finds with respect to Count One that:

1. The material involved a prepubescent minor and a minor under the age of twelve years, as described in U.S.S.G. § 2G2.4(b)(1) (November 5, 2003 Manual).
2. Defendant's possession of the materials resulted from Defendant's use of a computer, as described in U.S.S.G. § 2G2.4(b)(3) (November 5, 2003 Manual).
3. The offense involved possessing at least ten images, but fewer than 150, as described in U.S.S.G. § 2G2.4(b)(5)(A) (November 5, 2003 Manual).

**FORFEITURE ALLEGATION**  
**(18 U.S.C. § 2253(a)(3) -- Criminal Forfeiture)**

18 U.S.C. § 2253(a) -- Criminal Forfeiture

1. The allegations of Count One of this Indictment are hereby repeated and incorporated herein by reference for the purpose of alleging forfeiture to the United States under Title 18, United States Code, Section 2253(a).

2. Upon conviction on Count One hereof, the defendant ROSS ELLIOTT shall forfeit to the United States any and all matter which contains visual depictions produced, transported, shipped, received or possessed in violation of Title 18, United States Code, Section 2252; any property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result fo the said violations; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforementioned violations, including: one Gateway 960, Serial Number 0029045782.

All in violation of Title 18, United States Code, Section 2253(a)(3).

Debra Becker  
FOREPERSON OF THE GRAND JURY

Donal Saccoccia  
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS; December 15, 2004

Returned into the District Court by the Grand Jurors and filed.

Kathleen  
DEPUTY CLERK

at 2:55PM  
12/15/04

**Criminal Case Cover Sheet**

U.S. District Court - District of Massachusetts

Place of Offense: Somerville Category No. II Investigating Agency FBICity Somerville**Related Case Information:**County Middlesex

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number 03-M261-JLA

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Ross Elliott Juvenile  Yes  No

Alias Name \_\_\_\_\_

Address 85 Merriam Street, Apartment 3, Somerville, MABirth date (Year only): 1957 SSN (last 4 #): 8561 Sex m Race: \_\_\_\_\_ Nationality: U.S.

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**AUSA Dena T. Sacco and Ann Taylor Bar Number if applicable \_\_\_\_\_Interpreter:  Yes  No List language and/or dialect: \_\_\_\_\_Matter to be SEALED:  Yes  No Warrant Requested  Regular Process  In Custody**Location Status:**

Arrest Date: \_\_\_\_\_

 Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_ Already in State Custody \_\_\_\_\_  Serving Sentence  Awaiting Trial On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_Charging Document:  Complaint  Information  IndictmentTotal # of Counts:  Petty \_\_\_\_\_  Misdemeanor \_\_\_\_\_  Felony one

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: December 15, 2004 Signature of AUSA: Dena T. Sacco

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Ross Elliott

**U.S.C. Citations**

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>18 U.S.C. 2252(a)(4)(B)</u>	<u>possession of child pornography</u>	_____
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

**ADDITIONAL INFORMATION:**